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**Empowering Communities, Advocating Solutions.**

**Testimony to the CGA Planning and Development Committee  
Testimony by Louis W. Burch  
Citizens Campaign for the Environment**

**March 11, 2016  
Hartford, CT**

Senator Osten, Representative Miller, distinguished vice chairs and other esteemed members of the CGA Planning and Development Committee, thank you for the opportunity to submit testimony on this important issue.

My name is Louis Burch and I represent Citizens Campaign for the Environment (CCE). Supported by over 80,000 members in Connecticut and New York State, CCE works to empower communities and advocate for solutions that protect public health and the natural environment. I would like to offer the following testimony in support of SB 422:

**SB 422- AAC Residential Water Rates, Public Drinking Water Supply Emergencies and Sellers of Bottled Water**

The protection of Connecticut's public water supply has long been one of the most important and deeply held values of the State's legislature, which has resulted in some of the most stringent drinking water protections in the nation. The recent agreement to allow Niagara Bottling Co. to set up its bottling and manufacturing facility in Bloomfield, CT not only circumvents Connecticut's statewide water planning process, it threatens to place an undue tax burden on the citizens of our state and jeopardizes the security of our public water supply during times of droughts and other emergencies.

Unfortunately, the CT State Drought Plan does not prioritize the public's use of water resources over private industry; all users are treated equally under the law. *In the event of a drought emergency, the DPH (Dept of Public Health) has the authority to mandate a 25% water restrictions on residents, but not to limit water withdrawals for private water companies.* This would inevitably force the average citizen to limit their daily water consumption while large corporate water bottlers would be free to continue using valuable water resources without restrictions.

The Niagara Bottling proposal lacked transparency and a meaningful public process, resulting in a \$4.1 million tax abatement which was introduced and approved by the Bloomfield town council in a single night, without any opportunity for public comment. This action puts an undue burden on the taxpayers of our state, while allowing private water bottlers to reap tremendous profits off of Connecticut's high quality drinking water supplies.

The same day that the Niagara Bottling proposal was announced, The Metropolitan District Commission (MDC) amended their rate structure so that "large users" (only Niagara qualifies) pay a reduced Special Sewer Service Charge compared to regular users. This means that Niagara would be allowed to use the public's water supply and sewer services at a lower rate than the general public, despite the estimated 1.8 million gallons of water per day that the facility would consume.

The agreement between Niagara Bottling and Bloomfield is bad deal for taxpayers and Connecticut's water resources. The General Assembly can take action to help protect Connecticut's taxpayers and water resources by enacting SB 422, which would:

- Prioritize the needs of the public over those of private water companies during times of drought by requiring the bottling and export of Connecticut's water to cease in the event of a statewide drought advisory, as issued by the DPH. This is critical to ensure continued public access to clean drinking water, and to protect against supply shortages due to large withdrawals when the aquifer may not be able to support them.
- Rescind the Special Sewer Service Charge discount for water bottlers. This charge is a critical mechanism that supports building and maintenance of clean water infrastructure in our State. It makes no sense for the state to continue charging ratepayers this clean water service charge while private corporations using the same water supply are exempt. If bottling companies are to be permitted in Connecticut, they should be responsible for contributing their fair share towards meeting our state's infrastructure needs.
- Re-establish an MDC citizen's review board to ensure that future proposals do not create a conflict of interests, or leave the public to shoulder an unfair burden as the Niagara Bottling agreement is attempting to do. The public's water supply is of paramount importance and should be held in the public trust, not compromised in a manner that prioritizes corporate profits over the needs of the community. An independent watchdog at the MDC would provide much needed transparency and accountability for future proceedings and ensure that the public's water supply is managed sustainably, ethically, and in a manner that is consistent with the principles of our State Law.

In conclusion, the agreement to allow construction of a Niagara Bottling Bloomfield plant represents a blatant disregard for Connecticut's water protections and a violation of the public trust. **SB 422 would help alleviate the adverse impacts of this agreement, while helping to ensure that something similar does not happen in the future. CCE strongly supports SB 422 and respectfully urges this committee to pass this legislation as soon as possible.**

It is CCE's position that Connecticut's water resources are a public resource and are to be held in the public trust to meet growing and essential public needs. Thank you for the opportunity to comment and we look forward to working with this committee to address this important issue.